



Billing Code 9110-12-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 64

Docket ID FEMA-2012-0003

[Internal Agency Docket No. FEMA-8259]

Suspension of Community Eligibility

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Final rule.

SUMMARY: This rule identifies communities where the sale of flood insurance has been authorized under the National Flood Insurance Program (NFIP) that are scheduled for suspension on the effective dates listed within this rule because of noncompliance with the floodplain management requirements of the program. If the Federal Emergency Management Agency (FEMA) receives documentation that the community has adopted the required floodplain management measures prior to the effective suspension date given in this rule, the suspension will not occur and a notice of this will be provided by publication in the Federal Register on a subsequent date. Also, information identifying the current participation status of a community can be obtained from FEMA's Community Status Book (CSB). The CSB is available at <http://www.fema.gov/fema/csb.shtm>.

EFFECTIVE DATES: The effective date of each community's scheduled suspension is the third date ("Susp.") listed in the third column of the following tables.

FOR FURTHER INFORMATION CONTACT: If you want to determine whether a particular community was suspended on the suspension date or for further information,

contact David Stearrett, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20472, (202) 646-2953.

SUPPLEMENTARY INFORMATION: The NFIP enables property owners to purchase Federal flood insurance that is not otherwise generally available from private insurers. In return, communities agree to adopt and administer local floodplain management measures aimed at protecting lives and new construction from future flooding. Section 1315 of the National Flood Insurance Act of 1968, as amended, 42 U.S.C. 4022, prohibits the sale of NFIP flood insurance unless an appropriate public body adopts adequate floodplain management measures with effective enforcement measures. The communities listed in this document no longer meet that statutory requirement for compliance with program regulations, 44 CFR Part 59. Accordingly, the communities will be suspended on the effective date in the third column. As of that date, flood insurance will no longer be available in the community. We recognize that some of these communities may adopt and submit the required documentation of legally enforceable floodplain management measures after this rule is published but prior to the actual suspension date. These communities will not be suspended and will continue to be eligible for the sale of NFIP flood insurance. A notice withdrawing the suspension of such communities will be published in the Federal Register.

In addition, FEMA publishes a Flood Insurance Rate Map (FIRM) that identifies the Special Flood Hazard Areas (SFHAs) in these communities. The date of the FIRM, if one has been published, is indicated in the fourth column of the table. No direct Federal financial assistance (except assistance pursuant to the Robert T. Stafford Disaster Relief

and Emergency Assistance Act not in connection with a flood) may be provided for construction or acquisition of buildings in identified SFHAs for communities not participating in the NFIP and identified for more than a year on FEMA's initial FIRM for the community as having flood-prone areas (section 202(a) of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4106(a), as amended). This prohibition against certain types of Federal assistance becomes effective for the communities listed on the date shown in the last column. The Administrator finds that notice and public comment procedures under 5 U.S.C. 553(b), are impracticable and unnecessary because communities listed in this final rule have been adequately notified.

Each community receives 6-month, 90-day, and 30-day notification letters addressed to the Chief Executive Officer stating that the community will be suspended unless the required floodplain management measures are met prior to the effective suspension date. Since these notifications were made, this final rule may take effect within less than 30 days.

National Environmental Policy Act. This rule is categorically excluded from the requirements of 44 CFR Part 10, Environmental Considerations. No environmental impact assessment has been prepared.

Regulatory Flexibility Act. The Administrator has determined that this rule is exempt from the requirements of the Regulatory Flexibility Act because the National Flood Insurance Act of 1968, as amended, Section 1315, 42 U.S.C. 4022, prohibits flood insurance coverage unless an appropriate public body adopts adequate floodplain management measures with effective enforcement measures. The communities listed no longer comply

with the statutory requirements, and after the effective date, flood insurance will no longer be available in the communities unless remedial action takes place.

Regulatory Classification. This final rule is not a significant regulatory action under the criteria of section 3(f) of Executive Order 12866 of September 30, 1993, Regulatory Planning and Review, 58 FR 51735.

Executive Order 13132, Federalism. This rule involves no policies that have federalism implications under Executive Order 13132.

Executive Order 12988, Civil Justice Reform. This rule meets the applicable standards of Executive Order 12988.

Paperwork Reduction Act. This rule does not involve any collection of information for purposes of the Paperwork Reduction Act, 44 U.S.C. 3501 et seq.

List of Subjects in 44 CFR Part 64

Flood insurance, Floodplains.

Accordingly, 44 CFR Part 64 is amended as follows:

PART 64--[AMENDED]

1. The authority citation for Part 64 continues to read as follows:

Authority: 42 U.S.C. 4001 et seq.; Reorganization Plan No. 3 of 1978, 3 CFR, 1978 Comp.; p. 329; E.O. 12127, 44 FR 19367, 3 CFR, 1979 Comp.; p. 376.

§ 64.6 [Amended]

2. The tables published under the authority of § 64.6 are amended as follows:

State and Location	Community No.	Effective date authorization/cancellation of sale of flood insurance in community	Current Effective Map Date	Date Certain Federal assistance no longer available in SFHAs
Region III				
Virginia: Chesterfield County, Unincorporated Areas.	510035	January 26, 1973, Emerg; March 16, 1983, Reg; December 18, 2012, Susp.	December 18, 2012	December 18, 2012
Region IV				
Florida: Astatula, Town of, Lake County.	120581	N/A, Emerg; March 4, 1998, Reg; December 18, 2012, Susp.	December 18, 2012	December 18, 2012
Clermont, City of, Lake County.	120133	February 18, 1975, Emerg; August 15, 1984, Reg; December 18, 2012, Susp.	-do-*	-do-
Eustis, City of, Lake County.	120134	May 30, 1975, Emerg; June 4, 1987, Reg; December 18, 2012, Susp.	-do-	-do-
Fruitland Park, City of, Lake County.	120387	July 17, 1975, Emerg; September 5, 1984, Reg; December 18, 2012, Susp.	-do-	-do-
Groveland, City of, Lake County.	120135	May 16, 1975, Emerg; September 5, 1984, Reg; December 18, 2012, Susp.	-do-	-do-
Howey in the Hills, Town of, Lake County.	120585	July 18, 1979, Emerg; August 15, 1984, Reg; December 18, 2012, Susp.	-do-	-do-
Lady Lake, Town of, Lake County.	120613	November 14, 1984, Emerg; November 14, 1984, Reg; December 18, 2012, Susp.	-do-	-do-
Lake County, Unincorporated Areas.	120421	December 21, 1978, Emerg; April 1, 1982, Reg; December 18, 2012, Susp.	-do-	-do-
Leesburg, City of, Lake County.	120136	July 23, 1975, Emerg; July 18, 1985, Reg; December 18, 2012, Susp.	-do-	-do-
Mascotte, City of, Lake County.	120591	December 18, 1984, Emerg; December 18, 1984, Reg; December 18, 2012, Susp.	-do-	-do-
Minneola, City of, Lake County.	120412	January 24, 1977, Emerg; August 15, 1984, Reg; December 18, 2012, Susp.	-do-	-do-
Montverde, Town of, Lake County.	120614	N/A, Emerg; June 11, 1991, Reg; December 18, 2012, Susp.	-do-	-do-
Mount Dora, City of, Lake County.	120137	February 3, 1975, Emerg; April 5, 1988, Reg; December 18, 2012, Susp.	-do-	-do-
Tavares, City of, Lake County.	120138	May 15, 1975, Emerg; March 16, 1988, Reg; December 18, 2012, Susp.	-do-	-do-

State and Location	Community No.	Effective date authorization/cancellation of sale of flood insurance in community	Current Effective Map Date	Date Certain Federal assistance no longer available in SFHAs
Umatilla, City of, Lake County.	120139	June 13, 1975, Emerg; April 3, 1989, Reg; December 18, 2012, Susp.	-do-	-do-
Region V				
Wisconsin: Marquette County, Unincorporated Areas.	550601	N/A, Emerg; January 27, 1992, Reg; December 18, 2012, Susp.	-do-	-do-
Montello, City of, Marquette County.	550266	June 5, 1975, Emerg; November 16, 1990, Reg; December 18, 2012, Susp.	-do-	-do-
Neshkoro, Village of, Marquette County.	550267	July 21, 1975, Emerg; September 1, 1988, Reg; December 18, 2012, Susp.	-do-	-do-
Oxford, Village of, Marquette County.	550268	October 22, 1975, Emerg; August 16, 1988, Reg; December 18, 2012, Susp.	-do-	-do-
Westfield, Village of, Marquette County.	550269	June 26, 1975, Emerg; January 17, 1991, Reg; December 18, 2012, Susp.	-do-	-do-
Region VI				
Arkansas: Black Rock, City of, Lawrence County.	050118	June 18, 1975, Emerg; January 3, 1986, Reg; December 18, 2012, Susp.	-do-	-do-
Hoxie, City of, Lawrence County.	050119	April 14, 1975, Emerg; April 15, 1980, Reg; December 18, 2012, Susp.	-do-	-do-
Imboden, Town of, Lawrence County.	050120	December 28, 1982, Emerg; September 4, 1985, Reg; December 18, 2012, Susp.	-do-	-do-
Lawrence County, Unincorporated Areas.	050443	August 30, 1982, Emerg; June 3, 1991, Reg; December 18, 2012, Susp.	-do-	-do-
Portia, Town of, Lawrence County.	050121	May 5, 1975, Emerg; August 31, 1982, Reg; December 18, 2012, Susp.	-do-	-do-
Powhatan, Town of, Lawrence County.	050572	August 17, 1978, Emerg; March 22, 1982, Reg; December 18, 2012, Susp.	-do-	-do-
Ravenden, Town of, Lawrence County.	050470	December 22, 1982, Emerg; August 19, 1985, Reg; December 18, 2012, Susp.	-do-	-do-
Sedgwick, Town of, Lawrence County.	050576	February 1, 1988, Emerg; June 16, 2009, Reg; December 18, 2012, Susp.	-do-	-do-
Walnut Ridge, City of, Lawrence County.	050122	June 4, 1975, Emerg; August 1, 1987, Reg; December 18, 2012, Susp.	-do-	-do-

State and Location	Community No.	Effective date authorization/cancellation of sale of flood insurance in community	Current Effective Map Date	Date Certain Federal assistance no longer available in SFHAs
Region VII				
Iowa: Coulter, City of, Franklin County.	190388	September 3, 2010, Emerg; N/A, Reg; December 18, 2012, Susp.	-do-	-do-
Franklin County, Unincorporated Areas.	190867	January 13, 2010, Emerg; N/A, Reg; December 18, 2012, Susp.	-do-	-do-
Hampton, City of, Franklin County.	190131	August 16, 1974, Emerg; May 1, 1979, Reg; December 18, 2012, Susp.	-do-	-do-
Sheffield, City of, Franklin County.	190132	November 21, 1990, Emerg; July 1, 1991, Reg; December 18, 2012, Susp.	-do-	-do-
Region VIII				
Colorado: Boulder, City of, Boulder County.	080024	April 16, 1971, Emerg; July 17, 1978, Reg; December 18, 2012, Susp.	-do-	-do-
Boulder County, Unincorporated Areas.	080023	May 14, 1971, Emerg; February 1, 1979, Reg; December 18, 2012, Susp.	-do-	-do-
Erie, Town of, Boulder County.	080181	July 22, 1975, Emerg; October 17, 1978, Reg; December 18, 2012, Susp.	-do-	-do-
Jamestown, Town of, Boulder County.	080216	June 25, 1975, Emerg; July 18, 1983, Reg; December 18, 2012, Susp.	-do-	-do-
Lafayette, City of, Boulder County.	080026	August 7, 1975, Emerg; March 18, 1980, Reg; December 18, 2012, Susp.	-do-	-do-
Longmont, City of, Boulder County.	080027	November 26, 1971, Emerg; July 5, 1977, Reg; December 18, 2012, Susp.	-do-	-do-
Louisville, City of, Boulder County.	085076	March 3, 1972, Emerg; May 4, 1973, Reg; December 18, 2012, Susp.	-do-	-do-
Nederland, Town of, Boulder County.	080255	May 2, 1977, Emerg; August 1, 1979, Reg; December 18, 2012, Susp.	-do-	-do-
Superior, Town of, Boulder County.	080203	July 15, 1975, Emerg; September 28, 1979, Reg; December 18, 2012, Susp.	-do-	-do-
Utah: Annabella, Town of, Sevier County.	490122	April 14, 1976, Emerg; October 30, 1979, Reg; December 18, 2012, Susp.	-do-	-do-
Central Valley, Town of, Sevier County.	495519	November 17, 2011, Emerg; N/A, Reg; December 18, 2012, Susp.	-do-	-do-

State and Location	Community No.	Effective date authorization/cancellation of sale of flood insurance in community	Current Effective Map Date	Date Certain Federal assistance no longer available in SFHAs
Elsinore, Town of, Sevier County.	490125	September 26, 1975, Emerg; August 14, 1979, Reg; December 18, 2012, Susp.	-do-	-do-
Joseph, Town of, Sevier County.	490127	March 23, 1976, Emerg; August 28, 1979, Reg; December 18, 2012, Susp.	-do-	-do-
Koosharem, Town of, Sevier County.	490128	July 16, 1979, Emerg; February 2, 1984, Reg; December 18, 2012, Susp.	-do-	-do-
Richfield, City of, Sevier County.	490131	September 26, 1974, Emerg; September 29, 1986, Reg; December 18, 2012, Susp.	-do-	-do-
Sevier County, Unincorporated Areas.	490121	November 14, 1975, Emerg; July 1, 1986, Reg; December 18, 2012, Susp.	-do-	-do-
Region IX				
California: Tulare County, Unincorporated Areas.	065066	January 29, 1971, Emerg; September 29, 1986, Reg; December 18, 2012, Susp.	-do-	-do-

*-do- =Ditto.

Code for reading third column: Emerg. —Emergency; Reg. —Regular; Susp. —Suspension.

Dated: November 26, 2012

David L. Miller

Associate Administrator

Federal Insurance and Mitigation Administration

Department of Homeland Security

Federal Emergency Management Agency

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